

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**AFFIDAVIT OF LAUREN TOWNSEND, EXECUTIVE
DIRECTOR OF CITIZENS FOR CONSUMER JUSTICE**

I, Lauren Townsend, under the penalty of perjury, hereby declare as follows:

1. I am the Executive Director of Citizens for Consumer Justice ("CCJ"), Pennsylvania's leading non-profit umbrella organization for the promotion of affordable, quality health care for all, including the lowering of prescription drug prices. CCJ was founded in 1997 and has over 1500 individual and dues paying members.
2. CCJ is dedicated to the promotion of economic, racial, social, civil and environmental justice. We are committed to bringing quality, affordable, safe health care to the entire State of Pennsylvania, strengthening Social Security and Medicare, lowering prescription drug prices for consumers and preserving access to our civil justice system.
3. Some of CCJs members include individuals who are Medicare beneficiaries and who have made co-payments based on AWP for pharmaceuticals.
4. CCJ is involved in the Pharmaceutical Average Wholesale Price litigation on behalf of our membership, and consistent with our mission and work to lower the cost of prescription drugs, in order to fight against the abusive practices employed by pharmaceutical manufacturers to arbitrarily inflate the "average wholesale price" of

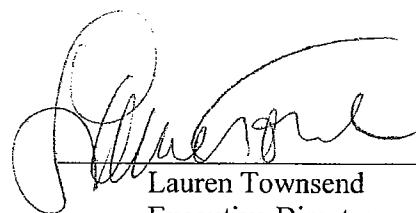
prescription drugs covered by Medicare Part B and many others not covered by Medicare. We also join because this practice determines why certain drugs are prescribed more often than others and directly impacts the health care received by our members.

5. During the Class Period, CCJ's members paid for drugs that had AWP-based transaction prices.

6. CCJ appears in this action for purposes of seeking declaratory, injunctive and other non-monetary relief pursuant to 28 U.S.C. §§ 2201, 2202 § 16 of the Clayton Act and any other applicable statute.

7. CCJ has been actively involved in the prosecution of this litigation and has enlisted the assistance of skilled and experienced class action counsel. CCJ's interests are not antagonistic to the interests of the members of the proposed Class.

8. CCJ does not have the economic ability or incentive to prosecute a case of this magnitude individually against such well-financed defendants and therefore believes that a class is a superior device.



Lauren Townsend
Executive Director

Subscribed to before me this 20th day
of August, 2004.



KATHLEEN M. JOHNSON
Notary Public

